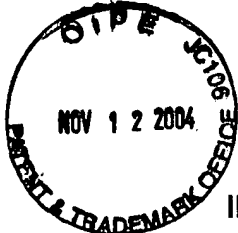


DAS
ISW/A



PATENT
03551-P0001B SHL/TMO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Joseph Kaminsky, <i>et al.</i>	
Serial No.: 09/816,918	Conf. No.: 6092	Filing Date: March 23, 2001
Title of Application:	Concurrent Dynamic Pricing Marketing and Selling System	
Group Art Unit: 3677	Examiner: Lugo, Carlos	

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Petition to Revive Patent Application for
Unintentional Delay Under (37 CFR 1.137(b))**

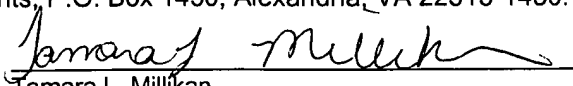
Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on March 29, 2004, which set a three month period for response. No extension of time was obtained. The abandonment date of this application was June 30, 2004 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefore). Applicants first discovered that the application had gone abandoned on or about October 18, 2004 upon receipt of a Notice of Abandonment mailed October 15, 2004.

Applicant Hereby Petitions for Revival of This Application

Mailing Certificate: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as *First Class Mail* in an envelope addressed to: Mail Stop Petition; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

November 9, 2004


Tamara L. Millikan

1. **Petition Fee.** Enclosed is a check for the petition fee of \$1,370.00. If there is any fee deficiency, please charge Account No. 19-4516.

2. **Proposed Response.** The proposed Response to the above noted Office Action is enclosed herewith.

3. **Verified Statement.** Because this petition pursuant to 37 CFR 1.137(b) was filed (A) within 3 months of the date the applicant was first notified that the application was abandoned, and (B) within 1 year of the date of abandonment of the application, detailed information as to the cause of the delay is not being provided pursuant to MPEP 711.03(c)(III)(D). Should the Commissioner require such detailed information, such will be provided.

(a) The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

Petition to Revive
Serial No. 09/816,918
Page 3

1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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Todd M. Oberdick, Registration No. 44,268
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